



CANNON BUILDING
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STATE OF DELAWARE
DEPARTMENT OF STATE

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DIVISION OF PROFESSIONAL REGULATION

MEETING MINUTES:

BOARD OF PROFESSIONAL LAND SURVEYORS

DATE AND TIME:

March 21, 2013 at 8:30 a.m.

PLACE:

861 Silver Lake Boulevard, Dover, Delaware
Conference Room A, second floor of the Cannon Building

APPROVED:

April 18, 2013

MEMBERS PRESENT

James Bielicki, Jr., Professional Member, Chairman
Franco R. Bellafante, Professional Member, Vice-Chair
Thomas Plummer, Professional Member
Charles Adams, Jr., Professional Member
Kenneth Monroe, Public Member

DIVISION STAFF

Kevin Maloney, Deputy Attorney General
LaToya Stephens Board Liaison
Amanda McAtee, Administrative Specialist II

MEMBERS ABSENT

Mark Rosenthal, Public Member, Secretary

PUBLIC

Michael Szymanski

CALL TO ORDER

Mr. Bielicki called the meeting to order at 8:38 a.m.

Review and Approval of Minutes

Mr. Plummer made a motion, seconded by Mr. Bellafante, to approve the February 21, 2013 minutes. By unanimous vote, the motion carried.

Unfinished Business

Workshop Review

Possible amendments to Titles 9 and 22 of the Delaware Code regarding the issuance of a certificate of occupancy permits and survey monumentation

Mr. Bielicki stated that he was going to draft a letter to the different municipalities and jurisdictions' stating this was something that they should enact in their own regulations.

Possible amendment to Title 25, Chapter 3 regarding survey requirements for conveyances

After discussion and further review, the Board concluded that they would continue to review exceptions and draft legislation to be submitted to the Division of Professional Regulation. Ms. McAtee stated that the legislative session was already in progress for the current year and that draft legislation was usually submitted to the Division of Professional Regulation for review in the fall. Mr. Maloney suggested that the Board draft and submit the legislation in the fall of 2013 so that it could be introduced during the January 2014 legislative session.

NEW BUSINESS

Courses for Continuing Education Approval

Kenneth O'Connell – Maryland Society of Surveyors 2013 Spring Conference

Mr. Plummer reviewed the PDH request from Kenneth O'Connell for the approval of the courses Engineer and Land Surveyor Liability, Ethics for Land Surveyors and Engineers, and the "Pincushion" Effect or the Multi-Monument Dilemma offered by the Maryland Society of Surveyors 2013 Spring Conference. Mr. Plummer made a motion, seconded by Mr. Monroe, to approve the courses for a total of 16 PDHs, with an ethics designation of 4 PDHs, as requested. By unanimous vote, the motion carried.

NBI, Inc

Mr. Plummer reviewed the PDH request from NBI, Inc. for the approval of the course Land Use Law: Current Issues in Subdivision, Annexation, and Zoning. Mr. Plummer made a motion, seconded by Mr. Bellafante, to approve the course for a total of 6 PDHs as requested. By unanimous vote, the motion carried.

Review of Application for Licensure by Examination – None

Review of Application for Licensure by Reciprocity – None

Review of Application for Surveyor Intern

Matthew Lowe

Mr. Bellafante reviewed the surveyor intern application from Mr. Matthew Lowe. After discussion, Mr. Bellafante made a motion, seconded by Mr. Plummer, to approve Mr. Lowe's application for surveyor intern. By unanimous vote, the motion carried.

Ratification of Issuance of Land Surveying Certificate of Authorization - None.

Review of Land Surveying Certificate of Authorization – None

Review of Audits – None

Complaint Assignments – None

Complaint Status

05-05-10 Board Contact: Bielicki

05-01-12 Board Contact: Plummer

Mr. Bielicki stated that complaint 05-05-10 had been closed for insufficient evidence. Ms. McAtee apologized that she had added that complaint to the agenda in error and that it had been closed. Mr. Bielicki stated that complaint 05-01-12 which was assigned to Mr. Plummer was still open.

Closed Complaints

05-06-10 – Dismissed by the Attorney General, Insufficient Evidence

Mr. Bielicki stated that complaint 05-06-10 had been dismissed by the Attorney General due to insufficient evidence.

Wall Certificates – None

Correspondence

Barry Seymour, P.L.S.

The Board reviewed the correspondence from Barry Seymour. After discussion, Mr. Bielicki requested that Ms. Stephens draft a response letter to Mr. Seymour informing him that the Board's Rules and Regulations did not allow CE credit for online CE courses unless the courses provided continuous and mutual interaction per Rule 10.3.2. In addition, Mr. Seymour was permitted to take CE courses in any state provided the CE courses met the Board's requirements per the Board's Rules and Regulations.

Nicholas Remy, PA-PLS

The Board reviewed the correspondence from Nicholas Remy. After discussion, Mr. Bielicki requested that Ms. Stephens draft a response letter to Mr. Remy stating that the Board does not approve course providers. The Board approves individual courses and the application for approval is obtainable from the Division of Professional Regulation's website. Mr. Bielicki added that Ms. Stephens should remind Mr. Remy that the Board does not accept online CE courses unless they meet the provisions in Rule 10.3.2.

Executive Session

Discussion of Closed Disciplinary Complaint 05-06-10

Mr. Plummer made a motion; seconded by Mr. Bellafante, to go into Executive Session at 11:30 a.m. to discuss a non-public record pursuant to 29 DE, code 1002G3, investigatory file. By unanimous vote, the motion carried.

Executive session ended at 12:25 p.m.

OTHER BUSINESS BEFORE THE BOARD (FOR DISCUSSION ONLY)

There was no other business before the Board.

PUBLIC COMMENT

There was no public comment.

NEXT MEETING

The next meeting of the Board is April 18, 2013 at 8:30 a.m. in Conference Room A, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

ADJOURNMENT

There being no further business before the Board, Mr. Bellafante made a motion, seconded by Mr. Monroe, to adjourn the meeting at 12:30 p.m. By unanimous vote, the motion carried.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "LaToya Stephens", written in a cursive style.

LaToya Stephens
Board Liaison

The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.